

REMARKS

Applicants express appreciation to the Examiner for consideration of the subject patent application. In the Office Action mailed January 24, 2007, the following actions were taken:

- (1) Claims 11-13 and 15-20 were allowed;
- (2) Claim 32 was objected to as being allowable but depending upon a rejected independent claim;
- (3) Claim 40 was objected to for lacking a terminal period.
- (4) Claim 39 was rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite;
- (5) Claims 38 and 41-43 were rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent Publication No. 2002/0071941 of Tsuchida et al. (hereinafter "Tsuchida");
- (6) Claims 31 and 33-36 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent 6,551,695 to Kaneko et al. (hereinafter "Kaneko");
- (7) Claims 31, 33-37, and 40 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Tsuchida
- (8) Claims 37, 38, and 40-43 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Kaneko as applied to claims 31 and 33-36, and further in view of Tsuchida.

The indication of allowable claims 11-13 and 15-20, and the indication of allowable subject matter in claim 32, if rewritten in independent form, is acknowledged with appreciation. Applicants respectfully submit that the remaining pending claims present patentable subject matter, as discussed in the following remarks.

Claim Objections

Claim 32 was objected to as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants point out that claim 32 is canceled in the present amendment, thereby obviating this objection.

Claim 40 was objected to for lacking a period at its end. This deficiency has been corrected in the present amendment. As discussed below, Applicant submits that claim 40 as amended presents patentable subject matter.

Claim Rejections - 35 U.S.C. § 112

Claims 39 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the term “sulfur-containing compound” was found to lack antecedent basis. Applicants submit that this rejection is rendered moot by the present amendment, in which claim 39 is canceled. The subject matter of claim 39 is now found in independent claim 38, with the term “sulfur-containing compound” replaced by “thiodiethanol.”

Claim Rejections - 35 U.S.C. § 102

Rejection based on Tsuchida

Claims 38 and 41-43 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tsuchida. In order to most succinctly explain why the claims presented herein are allowable, Applicant will direct the following remarks primarily to the previously presented independent claim 38 with the understanding that once an independent claim is allowable, all claims depending therefrom are allowable. As now presented, claim 38 now incorporates the subject matter of previously presented claim 39, which the Examiner has stated is allowable in combination with the limitations of this base claim. Therefore, Applicants submit that the present amendment renders moot the rejection of 38 by presenting it in form deemed allowable. Furthermore, claims 41-43, are also rendered allowable by this amendment because they depend from claim 38. Applicants therefore respectfully request the withdrawal of this objection.

Rejection based on Kaneko

Claims 31 and 33-36 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kaneko. As stated above, these claims are canceled by the present amendment, thereby obviating this rejection.

Claim Rejections - 35 U.S.C. § 103

Rejections based on Tsuchida

Claims 31, 33-37, and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchida. As stated above, claims 31 and 33-37 are canceled by the present amendment, thereby obviating this rejection with regard to these claims.

Regarding claim 40, this claim depends from currently amended claim 38, all of the elements of which are not taught or suggested by Tsuchida, as the Examiner has acknowledged in the pending Office Action. It therefore follows that Tsuchida also fails to teach or suggest all of the elements of claim 40, said elements including those of claim 38. Applicants therefore respectfully request the withdrawal of this rejection.

Rejections based on Kaneko in view of Tsuchida

Claims 37, 38, and 40-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kaneko as applied to claims 31 and 33-36, and further in view of Tsuchida. Claim 37 is canceled by the present amendment, thereby obviating this rejection with regard to this claim.

Regarding claim 38, this claim now incorporates the subject matter of previously presented claim 39, which the Examiner has stated is allowable in combination with the limitations of this base claim. Furthermore, claims 40-43 are also allowable over these references by virtue of including all of the limitations of claim 38. Applicants therefore respectfully request the withdrawal of this rejection.

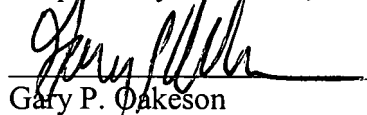
CONCLUSION

In light of the above, Applicant respectfully submits that pending claims 38 and 40-43 are now in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that these claims be allowed and passed to issue along with currently allowed claims 11-13 and 15-20. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is encouraged to call W. Bradley Haymond (Registration No. 35,186) at (541) 715-0159, or the undersigned, so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 08-2025.

DATED this 18th day of May, 2007.

Respectfully submitted,



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